IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 567 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE H.H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KAPURCHAND MANRUPJI MALVI

Versus

BHARATSINH BHOPALSINH

Appearance:

1. Appeal from Order No. 567 of 1999
   MR MB GANDHI for Appellant
   MR JA ADESHRA for Respondents

CORAM : MR.JUSTICE H.H.MEHTA

Date of decision: 16/01/2002

ORAL JUDGEMENT

1. Heard Mr.M.B. Gandhi, learned advocate for the appellant and Mr.J.A.Adeshra, learned advocate for the respondents.

2. The learned advocates for both the parties jointly submit that this appeal may be disposed of by giving suitable directions to the trial Court without assigning reasons.

3. As a result of the arguments and discussion with the advocates and in view of the facts and circumtances of the case, the following directions are given:-

[i] The learned Judge of the trial Court is directed to decide and dispose of Civil Suit No.4641 of 1998, which is pending on the file of the City Civil Court at Ahmedabad as expeditiously as possible preferably on or before 30th June, 2003.

[ii] Both the parties are directed to extend fullest co-operation to the learned Judge of the trial Court so as to enable him to dispose of the suit within given time.

[iii] Meanwhile, the order dated 31st January, 2000 passed by this Court (Coram : K.R.Vyas,J.) in Civil Application No.12942 of 1999 shall remain operative and effective till the final disposal of the suit. Copy of the said order dated 31/1/2000 passed in Civil Application No.12942 of 1999 be sent along with writ of this order to the trial Court.

4. In view of the directions given hereinabove, this appeal shall stand disposed of. No order as to costs.

(H.H.Mehta,J.)

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